

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

MARIO ANTWAINE HOLIFIELD

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CR. NO. 2:07-cr-123-WKW

MOTION TO CONTINUE PRETRIAL CONFERENCE

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and moves for the pretrial conference scheduled in this case for Friday, October 12, 2007, at 3:00 pm to be continued. As the basis for this motion the United States states the following:

1. William W. Whatley, Jr., counsel for the defendant, has informed the United States and the Court that he must be in Florida for a deposition in another criminal case on October 12, 2007, and will be unable to attend the pretrial conference.

2. The United States and the defendant are engaged in settlement negotiations that will likely result in a plea prior to trial. Both parties are aware of the plea deadline in this case and expect to come to an agreement prior to the plea deadline.

3. Counsel for the defendant agrees to a continuance of the pretrial conference and joins in this motion.

WHEREFORE, the United States requests that the pretrial conference in this case be continued.

Respectfully submitted this 11th day of October 2007.

LEURA G. CANARY
United States Attorney

/s/ Matthew W. Shepherd
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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys on record.

LEURA G. CANARY
UNITED STATES ATTORNEY

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